

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Itzhak Parnafes et al.

Serial No.: 09/586,531

Filed: May 31, 2000

For: METHOD AND APPARATUS PROVIDING
AUTOMATIC RESV MESSAGE GENERATION FOR
NON-RESV-CAPABLE NETWORK DEVICES

Confirmation No.: 6019

Group Art Unit No.: 2663

Examiner: Derrick W. Ferris

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. 1.132

We, Silvano Gai, Dinesh Dutt, Itzhak Parnafes, and Shai Mohaban hereby declare:

1. We are named as inventors in the above-referenced patent application now pending in the United States Patent & Trademark Office.
2. We have been informed that the Office has rejected the claims of the application as allegedly anticipated by the Network Working Group Internet Draft entitled "RSVP Receiver Proxy" by Gai et al ("the *Gai* reference"), which is attached hereto as **Exhibit A**.
3. We have read the *Gai* reference. The purpose of this declaration is to establish that the contents of the *Gai* reference are derived from our own work.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on _____, 2005 by _____
Angelica Maloney

4. Prior to October 1999, we conceived of the invention described and claimed in this application. After we conceived of the invention described and claimed in this application, two of the inventors, namely Silvano Gai and Dinesh Dutt, discussed the invention as described and claimed in this application with Nitsan Elfassy, who was employed by the assignee of the application at the time, and Yoram Bernet, who was employed by Microsoft Corporation at the time.

5. Silvano Gai and Dinesh Dutt, co-inventors of the application, are also co-authors of the *Gai* reference. The purpose of the *Gai* reference was to present our invention to the Internet community. To the extent that the *Gai* reference discloses aspects of the invention, those aspects of the invention disclosed in the *Gai* reference either describe our own work, or are derived from our own work. Silvano Gai and Dinesh Dutt wished to include Yoram Bernet as a co-author of the *Gai* reference because Internet Drafts are typically presented by representatives of at least two organizations.

6. Therefore, the *Gai* reference describes our own work, or derives from our own work, as described and claimed in this application.

7. The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any patent resulting therefrom, declares that all statements herein made of his/her own knowledge are true, and all statements herein made on information and belief are believed to be true.

SILVANO GAI

Signed at _____, this ____ day of
_____, 2005.

DINESH DUTT

Signed at _____, this ____ day of
_____, 2005.

ITZHAK PARNAFES

Signed at _____, this ____ day of
_____, 2005.

SHAI MOHABAN

Signed at _____, this ____ day of
_____, 2005.